

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 01-00435 CRB

Plaintiff,

ORDER

v.

REGINALD AKINS,

Defendant.

Now pending before the Court is defendant's motion pursuant to 28 U.S.C. section 2255 to vacate, set aside, or correct his sentence. Defendant's motion arises out of an inconsistency in the Verdict Form with respect to Count Four of the Superseding Indictment. In particular, the first sentence of the Verdict Form as to Count Four should have referred to the crime charged in Count Two; instead, the Verdict Form referred to the crime charged in Count One. Defendant contends that as a result he was never convicted of the crime charged in Count Four.

The government is directed to file a response to defendant's motion on or before July 11, 2008.

IT IS SO ORDERED.

Dated: June 25, 2008



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28